

REMARKS

After entry of the foregoing amendment, claims 1, 4-24, and 26 are pending in the application and are presented for reconsideration and further examination. By the foregoing amendment claims 2, 3 and 25 have been cancelled without prejudice or disclaimer, claims 1, 13, 15, 17, 24 and 26 have been amended. No new matter has been added.

The present invention

The invention disclosed and claimed in this application resides in the combination of a multi-sensor hazard detector and a mobile communication terminal, such as a cellular, PDA, laptop, etc. The device is able to indicate presence of an environmental hazard for permanent self-protection of the bearer at any location. The device is also useful for group protection in populated areas while available at minimal costs. The Applicant believes that the invention as claimed provide a new and useful device and that simplicity does not negate invention.

Response to Rejection of claim 24 under 35 USC § 112

Rejection 4. The text in paragraph 0032 of the current patent application describes an embodiment of the invention whereby a connection is established during the alarm mode, using a preset telephone number. It is the Applicant's assumption that the phrase: "*the person/s in the location of the event may be instructed how to proceed for minimizing the risks and/or the damages.*", cited by the Examiner in the Office Action, specifies that the bearer of the mobile terminal may be instructed how to proceed, as claimed in claim 24.

Furthermore, paragraph [0049] says: "*In the case that the distress call came from a cellular phone, the operator will attempt to contact the cell phone owner in order to identify the location and to eventually assess the situation and advise.*"

In addition, claim 24 as filed defines "*receiving instructions over said communication network regarding immediate protective measures for minimizing the effects of said hazardous agent*". This claim is part of the patent application, so that the subject of this claim is supported by the application as filed.

Nonetheless, the Applicant has amended claim 24 for unambiguously defining that the instructions are received over the terminal.

Therefore, the Applicant believes that the specification as filed supports the feature rejected under 35 USC § 112 as lacking support in the specification.

Response to Claim Rejection under 35 USC § 102

Rejection 6. Claims 1, 8-12, 18, 19 and 25 are rejected as being anticipated by US Patent 7,005,982 (Frank).

Independent claims 1 and 19 were amended to include the power turn-on unit and specifically define that the mobile communication device is also used for voice and data communication (see paragraph [0020] of the specification as filed). Claim 25 was deleted. Applicant respectfully submits that all of the pending claims are patentable over Frank, since Frank does not show and describe exactly all the claimed elements.

For example, Frank reference does not disclose a mobile communication terminal that can be used to exchange voice and data messages over a communication network, as claimed in claims 1 and 19. Furthermore, Frank does not describe, as admitted by the Examiner in the office action, a power turn-on unit for permanently powering (only) the multi-sensor block, while the reminder of the units of the terminal may be not powered, as in claims 1 and 19. Still further, the Frank reference does not disclose an alarm mode controller for operating the communication terminal in an alarm or a power sleep mode, according to a sensor reading signal, as recited in claim 1.

Claims 8-12, and 18 depend on claim 1, and therefore the above distinguishing features are also part of these claims. Furthermore, these claims include additional limitations, not described as such by the Frank reference.

In view of the foregoing, Applicant respectfully requests that the rejection under §102 of claims 1, 8-12, 18, 19 and 25 be withdrawn.

Response to Claim Rejection under 35 USC § 103

Rejection 8. Claims 4-7, 15-17, 22, 24 and 26 were rejected as being unpatentable over Frank.

As admitted by the Examiner, the Frank reference does not specifically describe a memory with thresholds for indicating hazardous levels of environmental agents, a comparator and an alarm driver as in claims 4 and 5/4; 6/5/4, 7/4 and 26/19. The Examiner assumes that these elements are described implicitly in the Frank reference; the Applicant respectfully requests the Examiner to point where in Frank the use of such units is suggested. The fact that a device uses a processor does not mean that the processor compares the measured levels of the agent against thresholds to determine and activates an alarm driver.

Furthermore, claims 4-7 depend upon claim 1 and therefore include the same distinguishing feature as discussed above in connection with claim 1.

As also admitted by the Examiner, the Frank reference does not explicitly describe the telecommunication device as being a mobile telephone, and indicates that the fact that the system in Frank uses POTS lines for transmission of the alarms makes the claims 15/1; 16/1 and 17/1 obvious. As discussed above, the Applicant respectfully disagrees.

Claim 15/1 defines an embodiment of the mobile terminal equipped with a keyboard for enabling transmission of alphanumeric messages over the communication network and a display for enabling reception of video messages over said network. None of these features is described in the reference.

Claim 16/1 provides preferred embodiments of the mobile communication device. The reference does not describe use of a cellular telephone, a fixed telephone, a cordless telephone, a pager and a fax machine with operationally connected alarm system. In the claimed invention, existing elements of the mobile telephone are modified for accommodating the alarm system; also, units are added and connectivity between elements is provided for obtaining a functional hybrid terminal. In the reference, the alarm system is independent of any mobile telephone device, and there is no description of the alarm system of Frank for enabling transmission and reception of voice and data.

Regarding claim 17/1, Frank does not describe a communication functions control unit.

Claims 22 and 24 depend of claim 19 and the same distinctive features as discussed above in connection with claim 19 apply. In addition, Frank does not describe specifically indicating the gravity of the threshold violation as in claim 22 or receiving instructions regarding immediate and on-the-go protective measures for minimizing the effects of said hazardous agent.

In view of the foregoing, applicant respectfully requests that rejection of claims 4-7, 15-17, 22, 24 and 26 be withdrawn.

Rejection 9. Claims 2, 3, 13, 14, 20, 21, and 23 were rejected as being unpatentable over Frank in view of Cephus.

Claims 2 and 3 were deleted. Claims 13, 14 depend upon claim 1 and therefore they include the same distinguishing features as discussed in connection with amended claim 1. Namely, the Frank reference does not show or describe explicitly a mobile communication terminal as claimed, a power turn-on unit for permanently powering (only) the multi-sensor block, and an alarm mode controller operating the communication terminal in an alarm mode or a power sleep mode according to a sensor reading signal, as defined in claim 1.

Furthermore, as admitted by the Examiner, the Frank reference does not describe explicitly a communications functions control unit as claimed in claims 13 (and 17), which enables generation of a distress signal in a format of a protocol accepted by the communication network. This feature enables use of the communication device of the invention with any type of network (see e.g. [0029] of the specification as filed), unlike the Frank system. In Frank, the alarm message is sent to a central monitoring station specifically designed to co-operate with the collecting stations.

Similarly, there is no mention nor suggestion in the Cephus reference of a power turn-on unit (29) for permanently powering 'on' the multi-sensor block, so that the environmental hazard may be detected when the communication device is switched 'off' and out of the normal mode of operation. The Cephus reference does not describe nor suggests an alarm mode controller operating the communication terminal in an alarm mode or a power sleep mode according to a sensor reading signal, as defined in claim 1. Furthermore, the Frank reference does not describe nor suggests a communications functions control unit as claimed in claims 13/1 and 17/1.

Claims 20/19, 21/20/19 and 23/19 depend upon claim 19, and therefore the same arguments provided above in connection with claim 19 versus Frank reference apply. In addition, none of the reference describes nor suggests taken individually or in combination, the steps recited in claim 20, namely:

- *"turning 'on' the communication terminal if turned 'off'".* There is no specific description that detecting an environmental hazard event, turns the Frank or Cephus terminals 'on';
- *"interrupting an on-going normal operation mode"* A normal operation mode as in the claims is not described in the references;
- *"establishing an automatic connection over a communication network if an alarm signal is detected"*. Apparently, the connection is always established in the Frank or Cephus references when the terminal is 'on';
- *"providing an alarm to indicate a threshold violation"*- no threshold or threshold violation is explicitly described by Frank or Cephus.

In view of the foregoing, applicant respectfully requests that rejection of claims 2, 3, 13, 14, 20, 21, and 23 be withdrawn

CONCLUSION

The Applicant has endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. Accordingly, amendments to the claims, the reasons therefore, and arguments in support of the patentability of the pending claim set are presented above. In light of the above amendments and remarks, reconsideration and withdrawal of the outstanding rejections is courteously requested. If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully requested to initiate the same with the undersigned.

Respectfully submitted,

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